

2010 Report of the



Agricultural Advisory Committee



ARTICLE 6. AGRICULTURAL ADVISORY COMMITTEE.

Sec. 2B-21. Agricultural Advisory Committee.

(a) *Definition.* In this Section, “Committee” means the Agricultural Advisory Committee.

(b) *Established.* The Executive must appoint, subject to confirmation by the Council, an Agricultural Advisory Committee.

(c) *Composition; Term.*

(1) The Committee has 15 voting members.

(2) The Executive should appoint:

(A) 12 members to a 3-year term who are bona fide farmers who represent the total farm community and reflect a variety of farm sizes, geographical locations and agricultural projects, at least 3 of whom must be owner-operators of commercial farm land earning 50% or more of their income from farming, and including:

(i) 1 farm economist; and

(ii) 1 conservationist; and

(B) 3 members who have no significant direct financial interest in farming, to a 1-year term to represent broad non-farm County interests. These members may be appointed to successive terms.

(3) The Committee may designate ex-officio members as necessary.

(4) If a member is appointed to fill a vacancy before a term expires, the successor serves the rest of the unexpired term.

(d) *Officers, meetings, and compensation.*

(1) The Committee must elect a chair and vice-chair from among its members.

(2) The Committee meets at the call of the Chair. The Committee must meet as often as necessary to perform its duties, but not less than 10 times each year.

(3) A member serves without compensation. However, a member may request reimbursement for mileage and dependent care costs at rates established by the County.

(e) *Duties.*

(1) The Committee must:

(A) advise the Executive and Council on all matters affecting agriculture in the County;

(B) bring matters of particular importance to the attention of the Executive and Council; and

(C) comment on matters referred to it by the Executive and Council.

(f) *Annual Report.* By January 30 of each year, the Committee must submit to the Executive and Council an annual report that:

(1) outlines the activities undertaken the previous calendar year;

(2) identifies problems affecting agriculture in the County; and

(3) make recommendations for government programs that may be necessary to maintain a healthy agricultural economy in the County.

(g) *Advocacy.* The Committee must not engage in any advocacy activity at the State or federal levels unless that activity is approved by the Office fo Intergovernmental Relations.

(h) *Staff.* The Chief Administrative Officer must provide appropriate staff to the Committee. (2009 L.M.C., ch. 26, § 1.)

Editor's note—2009 L.M.C., ch. 26, § 2, states: Transition. Section 2B-21, as added by Sec. 1 of this Act, establishes an Agricultural Advisory Committee. This Committee continues the Agricultural Advisory Committee created under Council Resolution 7-1138 and restructured under Council Resolution 8-705. The County Executive may reappoint, subject to Council confirmation, the members of the Agricultural Advisory Committee. The Executive should continue to stagger the terms of the members of the Agricultural Advisory Committee so that approximately one-third of the terms continue to expire each year.

**Listing of 2010 Projects and Accomplishments for the
Agricultural Advisory Committee**

1. Submitted recommendations to the County Executive regarding new appointments (farmers & non-farmer members) for the new year.
2. Provided recommendations and testimony to the Historic Preservation Commission on the recommended historic sites to the Upper Patuxent Area addressing the concerns of the agricultural community.
3. Reviewed and commented on the Executive Regulation 3-09AM Agricultural Preservation Easement Purchases regarding the State MALPF and County AEP program and the new Building Lot Termination (BLT) Program. Executive Regulation 3-09AM was approved by the County Council on July 27, 2010.
4. Provided recommendations to the Department of Finance regarding the recommended changes to Chapter 20 of the County Code Expedited Bill 8-10 in using G.O. Bonds for purchasing agricultural easements.
5. Provided recommendations to the PHED regarding ZTA 09-11 Agricultural vending in residential zones.
6. Provided recommendations to the DED regarding the FY2011 1st round saving mandate of 10% and 2nd round saving mandate of 14% regarding the impact on DED – Agricultural Services, total of 25% reduction in general funds.
7. Participated in the March 8, 2010 Annual Meeting with the County Executive to provide recommendations on the FY 2011 Budget in migrating expenses from the operating to the capital budget.
8. Participated in the March 11, 2010 Annual meeting with the Montgomery County Farmers Market Association for the 2010 growing season.
9. Provided recommendations to the Montgomery County Delegation on (MC11-10) for septic easements to address concerns from the agricultural community and reduce the fragmentation of farmland.
10. Provided recommendations to MNCPPC Planning Board regarding two proposed ZTA surrounding Child Lot Standards and Area Limitations-Cluster provisions.
11. Coordinated a special meeting May 3, 2010 between the Director of DED, Steve Silverman and the agricultural community to identify specific ways the County can help farmers.
12. Conducted and promoted the Annual Buy Local Challenge & 21st Annual Farm Tour & Harvest Sale in July 2010.
13. Provided recommendations to the Council regarding Expedited Bill 15-10 for the proposed 30% increase to the fuel-energy tax and the negative impact to farmers.
14. Provided recommendations and testimony to the Planning Board and staff on the Small Farm Incubator.

15. Provided recommendations to the County Executive for the MDE proposed changes to COMAR regulations governing the continued use of septic easements.
16. Participated in the Agricultural Reserve Conference Planning Committee. The conference is planned for the fall of 2012.
17. Participated in a group meeting with representatives from DOT and DPS regarding clearing and grubbing work on rural roads and complaints from residents.
18. Participated in the Annual Agricultural Fair with displays set-up from DED-Agricultural Services and the program for the Agricultural Leaders Luncheon.
19. Provided recommendations to the County Council on ZTA 10-12 New Child Lot Standards.
20. Participated with August 30, 2010 Public Forum held by the Maryland Public Service Commission on the reliability of electric service by Pepco.
21. Participated in the retirement celebration for Doug Tregoning for his 30 years of public service to Montgomery County Extension.
22. Participated in the 90th birthday celebration for George Lechliden, President of Montgomery County Farm Bureau.
23. Participated in the FSA/NRCS Education and Outreach Forum December 1, 2010 to promote new requirements of Federal Agricultural Assistance Programs.
24. Participated with the December 20, 2010 Sustainable Food Community Initiative.

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Agricultural Advisory Committee (AAC) Meeting

Agenda

January 19, 2010

1. Introductions – If necessary?
2. Approval of the November 17, 2009 AAC Minutes. (See Attachment A.).
The packet from the November 17, 2009 meeting is located at the back of this packet.
3. Recommendation for new appointments to AAC.
 - . 4 New Farmer Members and 3 Non-Farmer Members
4. Presentations by Callum Murray – Recent Planning Board Subdivision approvals.
 - . Michael Zamore-Green Infrastructure Plan
5. Annual meeting with the County Executive – AAC & APAB. We need to identify some bullets for discussion and determine who will be attending. This meeting was rescheduled to February 2, 2010 at 9:00 p.m.
6. Historic Preservation Public Hearing January 20, 2010 – Upper Patuxent Area of the County Proposal for HP Master Plan Amendment. (See Attachment B.)
7. FY 2011-16 CIP for Agricultural Easements. CE recommendation against the DED request for GO Bonds and amendment to Chapter 20. The DED must support the CE recommendation.
8. FY 2011 Operating Budget – 22.7% reduction on DED budget and the impact on DED-Agricultural Services.
9. January 19, 2010 PHED Committee Work Session – Executive Regulation 3-09AM Agricultural Preservation Easements including the new BLT program. Please go to the link outlined on the (Attachment C.)
10. Deer Donation Program Update. (See Attachment D..)
11. Next Agricultural Advisory Committee meeting is scheduled for February 16, 2010 at 7:30 p.m. in **Room B** of the Upcounty Regional Services Center.

Agricultural Advisory Committee (AAC) Meeting

Agenda

March 16, 2010

1. Introductions – If necessary?
2. Approval of the January 19, 2010 AAC Minutes. (See Attachment A).
Please note that the February 16, 2010 AAC meeting was cancelled.
3. New appointments to AAC (See Attachment B.)
 - Selection of a new Chair and Vice Chair of the AAC
4. Follow-up from the Annual meeting with the County Executive – AAC & APAB.
(See Attachment C. and 2009 Annual Report) This meeting was originally scheduled for February 2, 2010 at 9:00 p.m. and it was rescheduled to March 8, 2010.
5. FY 2011 Operating Budget – 22.7% reduction on DED budget. Discuss the impact on DED-Agricultural Services, MSCD, University of Maryland Extension.
Public hearings with the County Council are scheduled for April 5, 6, 7, and 8 at 7:00PM
6. FY 2011-16 CIP for Agricultural Easements. March 4, 2010 PHED Committee:
Recommended Chapter 20 amendments to use G.O. Bonds to purchase agricultural easements. March 16, 2010 Full Council Introducing Expedited Bill No. 8-10 and Public Hearing is April 6, 2010. March 16, 2010 Ag Preservation Work Session CIP project. (See Attachment D.)
7. Deer Donation Program Update. (See Attachment E.)
8. Follow-up from March 4, 2010 Planning Board Proposed ZTAs from MNCPPC that will be discussed this Thursday March 18, 2010.
(See Attachment F.)
 - Lot Area Limitations & Cluster Provisions-*Please note this ZTA is linked to the proposed House Bill 1506 (MC11-10) to authorize septic easements*
 - Child Lot Standards
 - Zoning Code Rewrite
9. Update on ZTA 09-11 Agricultural Vending in Residential Zones
SB 477/HB 611 Mobile Produce Vendors
10. Next Agricultural Advisory Committee meeting is scheduled for April 20, 2010 at 7:30 p.m. in **Room B** of the Upcounty Regional Services Center.

Agricultural Advisory Committee (AAC) Meeting

Revised Agenda

April 20, 2010

1. Introductions – If necessary?
2. Approval of the March 16, 2010 AAC Minutes. (See Attachment A.).
3. Updated list of the AAC members (See Attachment B.)
4. Follow-up from the meeting with Steve Silverman on May 3, 2010
(See Attachment C.)
5. The County Council approved Expedited Bill No. 8-10 Finance-Public Facilities-Agricultural Easements on May 4, 2010. (See Attachment D.)
6. Follow up from the May 17, 2010 Full Council FY 2011 Operating Budget Work Session. (See Attachments E.)
7. Follow-up from March 18, 2010 Planning Board Proposed ZTAs
(See Attachment G.) Letters from AAC & APAB.
 - Lot Area Limitations & Cluster Provisions-*Please note this ZTA is linked to the proposed House Bill 1506 (MC11-10) to authorize septic easements – Failed during the 2010 Session.*
 - Child Lot Standards
 - Zoning Code Rewrite
8. Follow up from May 13, 2010 Discussion with Mike Knapp & Director of DPS on a local bill for authorizing septic easements.
9. Planning Board discussion for May 27, 2010 to review the sites for a small farm Incubator. (See Attachment ____.)
10. Next Agricultural Advisory Committee meeting is scheduled for May 18, 2010 at 7:30 p.m. in **Room B** of the Upcounty Regional Services Center.

Agricultural Advisory Committee (AAC) Meeting

Revised Agenda

May 18, 2010

1. Introductions – If necessary?
 2. Appreciation and Presentation for Wade Butler
 3. Approval of the April 20, 2010 AAC Minutes. (See Attachment A.)
 4. Updated list of the AAC members (See Attachment B.)
 5. Follow-up from the meeting with Steve Silverman on May 3, 2010
(See Attachment C.)
 6. The County Council approved Expedited Bill No. 8-10 Finance-Public Facilities-Agricultural Easements on May 4, 2010. *If you go to the link below and scroll down and click on May 4 Council Packet and then scroll down and click on item (11) you can obtain the Council packet on this Bill.*
<http://www.montgomerycountymd.gov/csltmpl.asp?url=/content/council/packet/index.asp>
(See Attachment D.)
 7. The County Council approved ZTA 09-11 Agricultural Vending in Residential Zones
If you go to the link below and scroll down and click on May 4 Council Packet and then scroll down and click on item (5) you can obtain the Council packet on this ZTA
<http://www.montgomerycountymd.gov/csltmpl.asp?url=/content/council/packet/index.asp>
(See Attachment E.)
 8. Follow up from the May 17, 2010 Full Council FY 2011 Operating Budget Work Session. (See Attachments F.)
 9. Planning Board Proposed ZTAs
 - Lot Area Limitations & Cluster Provisions
 - Child Lot Standards
 - Zoning Code Rewrite
 10. Follow up from May 13, 2010 Discussion with Mike Knapp & Director of DPS on a Local Bill for authorizing septic easements in rural areas.
 11. Planning Board discussion May 27, 2010 review the sites for a small farm Incubator.
(See Attachment G.)
 12. David Weitzer -Fuel-Energy Tax Rates Expedited Bill 15-10 Public Hearing was April 20, 2010 and the MFP/T&E Committee work session was April 21, 2010
 13. Eddie Kuhlman-Status of Monocacy Elementary School
 14. Please note that Jeremy Criss will be on leave the week of June 14, 2010.
- Next Agricultural Advisory Committee meeting is scheduled for July 20, 2010
at 7:30 p.m. in **Room B** of the Upcounty Regional Services Center.

Agricultural Advisory Committee (AAC) Meeting

Revised Agenda

July 20, 2010

1. Introductions – Moment of Silence for Todd H. Butler
2. Approval of the May 18, 2010 AAC Minutes. (See Attachment A.) *Please note there was no AAC meeting in the month of June.*
3. Follow up on the discussion surrounding Expedited Bill 15-10 for increasing the Fuel-Energy Tax rates (See Attachment B).
4. Discussion surrounding Mike Knapp's seat 2nd District on the County Council.
5. Planning Board Proposed ZTAs Introduced next week at the Council
 - . Lot Area Limitations & Cluster Provisions
 - . Child Lot Standards
6. Update on the situation surrounding the future use of septic easements and the proposed MDE changes to the COMAR (See Attachment C).
7. Farmland Preservation Update:
 - . The County Council approved \$4.0 million in GO Bonds for the Agricultural Easement CIP (See Attachment D).
 - . The outcome of the July 19, 2010 PHED Committee work session on Executive Regulation 3-09AM (See Attachment E).
8. Planning Board Public Hearing July 23, 2010 @ 7:30 p.m. Barnesville Oak Farm Preliminary Plan 120090110 (See Attachment F).
9. 21st Annual Farm Tour and Harvest Sale July 24&25 10:00-4:00 (See Brochure).
10. Sugarloaf Regional Trails-2011 Conference Making the Most of the Ag Reserve-Developing a Green Print for the Future
11. Update from meeting with DOT, DPS staff for the Rustic Roads Advisory Committee Clearing and Grubbing complaints along West Offutt Rd and Mt. Nebo Rd
12. No meeting in August due to County Agricultural Fair Week. **Please remember to RSVP for the August 16, 2010 Agricultural Leaders Luncheon**
13. Next Agricultural Advisory Committee meeting is scheduled for September 21, 2010 at 7:30 p.m. in **Room B** of the Upcounty Regional Services Center.

Agricultural Advisory Committee (AAC) Meeting
Revised Agenda
September 21, 2010

1. Introductions – If necessary
2. Approval of the July 20, 2010 AAC Minutes. (See Attachment A.) *Please note the AAC did not meet in August due to the County Agricultural Fair Week*
3. Discussion surrounding results of the Primary Election for the County Council.
At Large seats: Marc Elrich, Nancy Floreen, George Leventhal, Hans Riemer lead in Unofficial Results. District seats: Roger Berliner, Craig Rice unofficial winners.
4. Discussion on ZTA 10-12 Child Lot Standards in RDT zone. (See Attachment B.)
July 27, 2010 ZTA was Introduced at the County Council
Public Hearing September 21, 2010 @ 1:30 pm.
PHED Committee Work Session September 27, 2010 @2:00 pm
5. Update on the situation surrounding the future use of septic easements and the proposed MDE changes to the COMAR (See Attachment C).
6. Farmland Preservation Update:
.Executive Regulation 3-09AM approved by the County Council Effective August 27
.New Farmland Preservation Brochure available in October
.DED Contracting with two appraisers to conduct appraisal study to completed in November -Base Value AEP and BLT
.Announce Easement Purchase Periods in December 2010.
.BLT program Contract and Deed of Easement documents are being finalized
7. Follow up on the August 30, 2010 Public Hearing on Pepco-Investigation into the Reliability and Quality of Electric Distribution and Service (See Attachment D.)
8. Suggestion of conducting a Deer Harvest Challenge for Montgomery County and Deer Vehicle Collisions on the Rise in Montgomery County
(See Attachment E.)
9. Maryland's Statewide Farm Energy Audit Program recognized as one of five "exceptional state-led energy efficiency programs (See Attachment F.)
10. Retirement Celebration for Doug Tregoning Friday October 1, 2010 @6:00 pm at the Ag Center Fair Grounds (See Attachment G.)
11. Next Agricultural Advisory Committee meeting is scheduled for October 19, 2010 at 7:30 p.m. in **Room B** of the Upcounty Regional Services Center.

Agricultural Advisory Committee (AAC) Meeting October 19, 2010 Revised Agenda

1. Introductions – If necessary
2. Approval of the September 21, 2010 AAC Minutes. (See Attachment A.)
3. Presentation by Joe Brown Patriot Land and Wildlife Management Services, Inc. Doe Contest for 2010-2011 fire arms season
4. Update from the October 11, 2010 PHED work session on ZTA 10-12 Child Lot Standards in RDT zone. (See Attachment B.)

PHED Committee Work Session October 11, 2010 @2:00 pm

<http://www.montgomerycountymd.gov/csltmpl.asp?url=/content/council/packet/index.asp>

Full Council Vote October 19, 2010

Recommended changes to the ZTA are as follows:

The ZTA will not require a retained TDR for Farm Tenant Dwellings,

The size of the child lot will be controlled by the requirements of well and septic regulations, The size of the child lot can exceed 3 acres in size and this will be helpful since septic easements will be prohibited,

The number of child lots will be limited to 3 unless the APAB recommends that special circumstances exist for no more than 5 child lots,

A grandfather clause will protect those folks already in the pipeline for review and approval

When a child is living in a dwelling on a farm with an existing deed of record and no record plat, the child lot can be validated by record plat.

5. The County Government Organizational Reform Commission is discussing the reorganization of the Department of Economic Development. There is a suggestion from the Chambers to take Work Force Services and Agricultural Services out of the DED. I will keep you informed regarding this discussion on the proposed reorganization. (See Attachment C.)
6. New Agricultural Laws that went into Effect October 1, 2010 (See Attachment D.)
7. Final List of Resources Evaluated by the Montgomery County Historic Preservation Commission (HPC) for the Upper Patuxent Amendment, with HPC Recommendations,” and click on it. www.montgomeryplanning.org/historic/upperpatuxent
8. Upcoming events and meetings:

Full Council to vote 10-19-10 on ZTA 10-12

Poolesville Town Hall 10-20-10 at 7:00pm Farmers to meet with Craig Rice

9. Next Agricultural Advisory Committee meeting is scheduled for November 16, 2010 at 7:30 p.m. in **Room B** of the Upcounty Regional Services Center.

10. New Appointments to the AAC (See the back side of this agenda)

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Agricultural Advisory Committee (AAC)
Agenda
November 16, 2010

1. Introduction if necessary?
2. Approval of the AAC Meeting Minutes from October 19, 2010 (See Attachment A.)
3. The County Council approved ZTA 10-12 New Child Lot Standards in the RDT zone on October 26, 2010. Go to the link below scroll down and click on: NEW Ordinance No. 16-57 (ZTA 10-12) adopted October 26, 2010 Child Lots in the RDT zone.
<http://www.montgomerycountymd.gov/agstmpl.asp?url=/content/DED/AgServices/agboardscommittee.asp>
4. Follow up to the AAC request to the County Council to move forward on the Historic Preservation Amendments 09-01. (See Attachment B.)
5. Status of Appointments to the Agricultural Advisory Committee:
Randy Stabler and Robert Beall requesting reappointment as farmer members
Eddie Kuhlman requesting reappointment as non-farmer member
Patrick Brown and Lois Stoner are pending
On October 29, 2010 I sent the attached message to recruit other farmer members
(See Attachment C.)
6. Update on the Farm Incubator project as recommended by the Green Economy Task Force. Bruce Adams has scheduled a meeting on Monday December 20, 2010 here at the AHFP to present a Sustainable Community Food Initiative that will include the farm incubator project.
7. Update on the proposed Agricultural Reserve Conference in the fall of 2011. **Making the Most of the Ag Reserve-Greenprint for the Future.** Locating sponsors and funding will be discussed at the planning committee meeting scheduled for next Wednesday.
(See Attachment D.)
8. **Upcoming Meetings and Events:**
Agricultural Advisory Committee November 16, 2010@ 7:30 pm
FSA/NRCS Education and Outreach Forum December 1, 2010@ 6:30 pm
State Bills Public Hearing December 6, 2010@ 7:00 pm MC 8-11 Leghold and Body Gripping Traps
Sustainable Community Food Initiative December 20, 2010@ 1:00-4:00 pm
9. Next Scheduled meeting of the AAC December 21, 2010 @ 7:30 pm Room B UpCounty Regional Services Center in Germantown
10.
e:aacnovmtg(aac10)